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<b>To:</b>	Examiner Tan V. Mai	<b>From:</b>	Fred G. Pruner, Jr.
<b>Company:</b>	U.S. Patent and Trademark Office	<b>Date:</b>	February 27, 2003
<b>Fax:</b>	703-746-7238	<b>Pages:</b>	4
<b>Serial No.:</b>	09/432,337	<b>Our Ref:</b>	ML0277US (P7626)
<input type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input checked="" type="checkbox"/> Confirm Receipt			

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#7/NE,  
J. C. Carter  
3/4/03

In re Applicant:	Tinku Acharya	§	Art Unit:	2124
Serial No.:	09/432,337	§		
Filed:	November 2, 1999	§	Examiner:	Tan V. Mai
Title:	Discrete Filter Having a Tap Selection Circuit	§	Docket No.	ITL.0277US (P7626)

Box AF  
Commissioner for Patents  
Washington, DC 20231

REPLY TO FINAL OFFICE ACTION DATED FEBRUARY 21, 2003

Dear Sir:

In an Office Action mailed on February 21, 2003, claims 1-3 and 9-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lesthievent; and claims 4-8 were objected to as being dependent upon a rejected base claim but allowable if rewritten in independent form. The remaining rejections are discussed below.

The digital signal processing circuit of independent claim 1 includes a tap selection circuit, a circuit that is not shown in Lesthievent. The Examiner acknowledges this point, as in the latest Office Action, the Examiner states, "it is noted that Lesthievent et al do not show the claimed 'tap selection circuit'." Final Office Action, 2. However, the Examiner goes on to state that Lesthievent teaches a circuit to allegedly perform the function of the tap selection circuit that is recited in lines 4 and 5 of claim 1. Thus, the Examiner concludes a case of obviousness for claim 1 because, "the switches s(i) are capable of providing the equivalent function, i.e., select a group of processing units having multipliers g(i)." *Id.*, 2.

To establish a *prima facie* case of obviousness, all claim limitations must be taught or suggested. *In re Royka*, 180 USPQ 580 (CCPA 1974). Furthermore, "all words in a claim must

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Debra Cutrona